

ZB# 81-6

Realm Restaurateurs, Inc.

49-1-1

#81-6-
Realm Restauranters Corp.
(Kirk Gate Diner)
Reis.

Prelim. Meetings

3/23/81

Public Hearing -

April 13, 1981 - 8pm.

Fee: \$50.00.

~~Decision~~

TOWN OF NEW WINDSOR555 Union Avenue
New Windsor, N. Y. 12550**General Receipt**

4578

Received of

Realm Restaurants, Inc.\$ *50.00**Fifty and 00/100*

DOLLARS

For

*#81-~~6~~**3 B A.*

DISTRIBUTION:

FUND	CODE	AMOUNT
<i>50.00</i>		
<i>CK</i>		

By

*Pauline J. Townsend**Town Clerk*

Title

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x

In the Matter of the Application of

REALM RESTAURANTEURS, INC.,

DECISION GRANTING
AREA VARIANCES

#81-6.

-----x

WHEREAS, REALM RESTAURANTEURS, INC., a domestic corporation having an office located at 345 Windsor Highway, Vails Gate, N. Y. 12584, has made an application for area variances for subdivision of a parcel located at the above address in a "C" (designed-shopping center) zone; and

WHEREAS, a public hearing was held on the 13th day of April, 1981 before the Zoning Board of Appeals at the Town Hall, 555 Union Ave., New Windsor, N.Y.; and

WHEREAS, the applicant, REALM RESTAURANTEURS, INC., was represented by Michael Reis, Vice President of the corporation; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicant corporation intends to subdivide the parcel of land located on Route 32. On the same parcel, there are two buildings, i.e. Broadway Tailors and Vails Gate Diner. By subdividing the parcel, several area variances will be required: Parcel #1- (Diner) 3 parking spaces; Parcel #2 (Tailors) lot width, lot area and sideyard.

3. The evidence shows that applicant corporation intends to sell off one parcel and that is why parcel is being subdivided.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of law in this matter:

1. The applicant will encounter practical difficulty if the area variances are not granted.

2. The proposed area variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant area variances as requested in the application before the Board, and in connection with plans submitted and dated March 10, 1981 with restrictions stating that there be mutual access to both owners of the property for future use.

BE IT FURTHER, RESOLVED that the Secretary of the Zoning Board of Appeals transmit a copy of this decision to the Town Planning Board, Town Clerk and applicant.

Dated: June 22, 1981.

S/

Chairman

State of New York

County of Orange, ss:

Everett Smith, being duly sworn
disposes as says that he is
..Publisher.. of the E.W. Smith
Publishing Company, Inc., publisher
of The Sentinel, a weekly newspaper
published and of general circulation
in the Town of New Windsor, and that
the notice of which the annexed is
a true copy was published...*once*...
in said newspaper, commencing on
the ..*26th*.. day of ..*March*.. A.D., 1981,
and ending on the ..*26th*.. day of ..*March*..
A.D., 1981

Everett Smith
Subscribed and sworn to before me
this ..*24th*.. day of ..*Jan.*.. 19*81*.....

Pauline G. Townsend
Notary Public of the State of New York
County of Orange.

MY COMMISSION EXPIRES MARCH 30, 19__
PAULINE G. TOWNSEND
Notary Public, State of New York
No. 4643692
Appointed in Orange County
My commission expires Mar. 30, 19*83*

PUBLIC NOTICE OF
HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
PLEASE TAKE NOTICE that the
Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New
York will hold a Public Hearing
pursuant to Section 48-33A of the
Zoning Ordinance on the follow-
ing proposition:
Appeal No. 6:
Request of REALM RESTAUR-
ANTEURS, INC. for a VARI-
ANCE of the regulations of the
Zoning Ordinance to permit
Subdivision of lands to separate
diner and office building,
thereby creating undersized
lot, being a VARIANCE of Sec-
tions 48-12, Part II, Table of
Bulk Regs. Cols. 4, 5 & 7, and
and Sec. 48-9 Table of Regs.
Col. E for property situated as
follows:
East side of Route 32, North of
Forge Hill Road and across
from Vail's Gate School (Vail's
Gate Diner) Tax Map Sec. 49,
Block 1, Lot 1, Town of New
Windsor, New York
SAID HEARING will take place
on the 13th day of April, 1981, at
the New Windsor Town Hall, 555
Union Avenue, New Windsor,
N.Y. beginning at 8 o'clock P.M.
RICHARD FENWICK
Chairman
By: Patricia Delio,
Secretary

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

81-6.
(Number)

3/23/81
(Date)

I. ✓ Applicant information:

- (a) Realm. Restaurateurs, Inc., P.O. Box 385, 345 Windsor Highway, Vails Gate,
(Name, address and phone of Applicant) New York 12584
914-562-9050
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. ✓ Property information:

- (a) C 345 Windsor Highway 49 1 1 1.14 Ac
(Zone) (Address) (\$ B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4 & R-5
- (c) Is a pending sale or lease subject to ZBA approval of
this application? Yes
- (d) When was property purchased by present owner? 25 April 1967
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit
previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by

81-6.
(Number)

3/23/81
(Date)

I. ✓ Applicant information:

- (a) Realm Restaurateurs, Inc., P.O. Box 385, 345 Windsor Highway, Vails Gate,
(Name, address and phone of Applicant) New York 12584
914-562-9050
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. ✓ Property information:

- (a) C 345 Windsor Highway 49 1 1 1.14 Ac
(Zone) (Address) (\$ B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4 & R-5
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 25 April 1967
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. Dumpster (see plan for location).



IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow _____

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance: Parcel I

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table I, Column 24

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>10,000 s.f.</u>	<u>13,125 s.f.</u>	<u>0</u>
Min. Lot Width <u>100 ft.</u>	<u>100 ft.</u>	<u>0</u>
Reqd. Front Yard <u>40</u>	<u>47</u>	<u>0</u>
Reqd. Side Yards <u>15 / 35</u>	<u>15 / 35</u>	<u>0 / 0</u>
Reqd. Rear Yard <u>15</u>	<u>17</u>	<u>0</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. <u>2 stories</u>	<u>2 stories</u>	<u>0</u>
Min. Floor Area* _____	_____	_____
Development Coverage* <u>%</u>	<u>%</u>	<u>%</u>
Floor Area Ratio** <u>1.0</u>	<u>0.4</u>	_____

* Residential districts only

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance: Parcel I

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table I, Column 24

Requirements	Proposed or Available	Variance Request
Min. Lot Area 10,000 s.f.	13,125 s.f.	0
Min. Lot Width 100 ft.	100 ft.	0
Reqd. Front Yard 40	47	0
Reqd. Side Yards 15 / 35	15 / 35	0 / 0
Reqd. Rear Yard 15	17	0
Reqd. Street Frontage*		
Max. Bldg. Hgt. 2 stories	2 stories	0
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio** 1.0	0.4	

* Residential districts only

** Non-residential districts only

Parking Space 24 21 3

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____, to allow _____

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance: Parcel II

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table II _____, Columns 4,5,7

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>40,000 s.f.</u>	<u>36,723 s.f.</u>	<u>3277 s.f.</u>
Min. Lot Width <u>200 ft.</u>	<u>149 ft.</u>	<u>51 s.f.</u>
Reqd. Front Yard <u>60 ft.</u>	<u>30 ft.</u>	<u>(existing condition)</u>
Reqd. Side Yards <u>30 / 70</u>	<u>22+ / 72</u>	<u>8+ / 0</u>
Reqd. Rear Yard <u>30</u>	<u>122</u>	<u>0</u>
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. <u>11'+</u>	<u>13'+</u>	<u>(existing condition)</u>
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** <u>0.5</u>	<u>0.1</u>	<u>0</u>

* Residential districts only

** Non-residential districts only

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance: Parcel II

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table II, Columns 4,5,7

Requirements	Proposed or Available	Variance Request
Min. Lot Area 40,000 s.f.	36,723 s.f.	3277 s.f.
Min. Lot Width 200 ft.	149 ft.	51 s.f.
Reqd. Front Yard 60 ft.	30 ft.	(existing condition)
Reqd. Side Yards 30 / 70	22+ / 72	8+ / 0
Reqd. Rear Yard 30	122	0
Reqd. Street Frontage*		
Max. Bldg. Hgt. 11'+	13'+	(existing condition)
Min. Floor Area*		
Development Coverage* %	%	%
Floor Area Ratio** 0.5	0.1	0

* Residential districts only

** Non-residential districts only

Parking Spaces 44 64 0
(130 seats)

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

Difficulty arises in effort to separate two uses on same parcel
by subdivision, due to differing bulk requirements. Effort to
alleviate consists of a mutuality-of-use agreement for access and
parking between the two lots proposed.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

by subdivision, due to differing bulk requirements. Effort to alleviate consists of a mutuality-of-use agreement for access and parking between the two lots proposed.



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

No changes in the existing character of the site are proposed. No new construction is planned, and access and parking will remain as presently used.

☐ IX. Attachments required:

- ___ Copy of letter of referral from Building and Zoning Inspector.
- x Copy of contract of sale, lease or franchise agreement.
- x Copy of tax map showing adjacent properties
- ___ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ___ Copy(ies) of sign(s) with dimensions.
- x Check in amount of \$ 50 payable to Town of New Windsor.

Photos of existing premises

- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

No changes in the existing character of the site are proposed. No new construction is planned, and access and parking will remain as presently used.

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☒ Copy of contract of sale, lease or franchise agreement.

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☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

☐ Copy(ies) of sign(s) with dimensions.

☒ Check in amount of \$ 50 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

☐ Other

X. AFFIDAVIT

Date _____

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Michael Reis V.P.
(Applicant)

Michael Reis, Vice President

Sworn to before me this

1st day of April, 1981.

Ruth J. Eaton
RUTH J. EATON
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1922
Reg. No. 4673512

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- Special Permit is _____
- (c) Conditions and safeguards:

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Michael Reis V.P.
(Applicant)

Michael Reis, Vice President

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1st day of April, 1981.

Ruth J. Eaton
RUTH J. EATON
Notary Public, State of New York
Qualified in Orange County
Commission Expires March 30, 1982
Reg. No. 4673512

XI. ZBA Action:

(a) Public Hearing date _____

(b) Variance is _____

Special Permit is _____

(c) Conditions and safeguards: _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

(914) 565-8550

April 14, 1981

REALM RESTAURANTEURS
P. O. Box 385
Vails Gate, N. Y. 12584

Attn: Mr. Michael Reis

RE: APPLICATION BEFORE ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR - #81-6

Dear Mike:

This is to confirm that the above application for area variances was approved at the April 13, 1981 public hearing before the Zoning Board of Appeals.

Formal decision will be drafted at a later date and voted upon at an upcoming meeting of the ZBA.

Very truly yours,

PATRICIA DELIO, Secretary
NEW WINDSOR ZONING BOARD OF APPEALS

/pd

cc: Town Planning Board - Attn: Ernest Spignardo, Chairman
Town Building/Zoning Inspector Collett



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor
Paula King
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

March 24, 1981

Mr. Michael Reese
Realm Restaurants
Box 385
Vails Gate, N.Y.

Re: 49-1-1

Dear Mr. Reese:

According to my records, the attached list of property owners are within five hundred (500) feet of the above mentioned property.

The charge for this service is \$45.00. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

PAULA SARVIS
ASSESSOR
Town of New Windsor



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor

Paula King

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

48
on list

City School District of Newburgh
Vails Gate Elementary School
98 Grand Street
Newburgh, N.Y. 12550

Ponderosa System Inc.
Box 578
Dayton Ohio 45401

New Windsor Associates
c/o Sam Linder
161 Hillside Ave.
Cresskill, N.J. 07626

Deyo Jesse D & Margaret
340 Windsor Highway
New Windsor, N.Y. 12550

Harris Benjamin & Wennet Etta
P.O. Box 2552
Newburgh, N.Y. 12550

Rottmeier De. Co. Inc.
c/o Newburgh Pork Store
327B Windsor Highway
New Windsor, N.Y. 12550

Lauterbach Charles H & Edna A.
42 Continental Drive
New Windsor, N.Y. 12550

Muise Raymond J. & Pauline L.
44 Continental Drive
New Windsor, N.Y. 12550

Kroun Renee
46 Continental Drive
New Windsor, N.Y. 12550

Deery Edward J. & Eileen G.
48 Continental Drive
New Windsor, N.Y. 12550

Stivala George J. & Viola
50 Continental Drive
New Windsor, N.Y. 12550

Kehl Joseph F. & Joan M.
9 Musket Place
New Windsor, N.Y. 12550

Marvel Rose & Ryan Estelle
7 Musket Place
New Windsor, N.Y. 12550

Shook Kenneth R. & Caroline M.
5 Musket Place
New Windsor, N.Y. 12550

Roberts Alfred E.
3 Musket Place
New Windsor, N.Y. 12550

Stroble Charles R. & Joanne E.
1 Regimental Place
New Windsor, N.Y. 12550

Kucyk John & Frances T.
41 Continental Drive
New Windsor, N.Y. 12550

Jacobson Howard & Hilda
Box 436
Vails Gate, N.Y. 12584

Donachie Stephen & Cynthia
37 Continental Drive
New Windsor, N.Y. 12550

Lang Frank G.
35 Continental Drive
New Windsor, N.Y. 12550



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor
Paula King
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

X Prendergast Patricia
52 Continental Drive
New Windsor, N.Y. 12550 ✓

X Di Gregorio Peter & Sondra
54 Continental Drive
New Windsor, N.Y. 12550 ✓

X Hilton Frank & Daisy Lee
P.O. Box 193
Vails Gate, N.Y. 12550 ✓

X Stafford William F. & Elizabeth Bankers Trust Hudson Valley
50 Continental Drive
New Windsor, N.Y. 12550 ✓
301 Wall Street
Kingston, N.Y. 12401

X Barone Mario
656 Edison Avenue
Bronx, N.Y. 10465

X Woodruff Lawrence & Joan M.
62 Continental Drive
New Windsor, N.Y. 12550 ✓

X Crook Richard J. & Jeannie M.
64 Continental Drive
New Windsor, N.Y. 12550 ✓

X Marotta William J. & Genevieve E.
66 Continental Drive
New Windsor, N.Y. 12550 ✓

X Hecht Eugene F. & Bakker Leonard G.
13 Ona Lane
New Windsor, N.Y. 12550 ✓

X Laborers Local 17
Realty Trust
P.O. Box 356
Vails Gate, N.Y. 12584 ✓

X Hecht Eugene I & Bakker Leonard G.
363 Windsor Highway
New Windsor, N.Y. 12550 ✓

X Cicchetti O. Edward
8 Baltas Road
Newburgh, N.Y. 12550 ✓

X Vitolo Reziero
12 Lancer Drive
Newburgh, N.Y. 12550 ✓

X Balmville Estates Inc.
P.O. Box 4053
New Windsor, N.Y. 12550 ✓

X Bromberg Arthur & William
Old Forge Hill Road
New Windsor, N.Y. 12550 ✓

X Coloni Richard V. & Angelina F.
43 Continental Drive
New Windsor, N.Y. 12550 ✓

X Schnepel Edward D.
2 Regimental Place
New Windsor, N.Y. 12550 ✓

X Peroni Otella J. & Carmella V.
4 Regimental Place
New Windsor, N.Y. 12550 ✓

X Maiorana Vito J. & Louise
6 Regimental Place
New Windsor, N.Y. 12550 ✓



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Sole Assessor

Paula King

555 Union Avenue

New Windsor, New York 12550

(914) 565-8808

Strader George F. Jr. & Kathleen F.
8 Regimental Place
New Windsor, N.Y. 12550

Vaczi Joseph J. & Maudean
10 Regimental Place
New Windsor, N.Y. 12550

Zapantis Costas & Anna
51 Continental Drive
New Windsor, N.Y. 12550

Kemp David W. & Marie
49 Continental Drive
New Windsor, N.Y. 12550

Maler Donald
47 Continental Drive
New Windsor, N.Y. 12550

Kraiza Joseph M & Auroram
45 Continental Drive
New Windsor, N.Y. 12550

Panella Emilio
182 Grand Street
Newburgh, N.Y. 12550

Sun Oil Co.
6-7744-02
Tax Dept.
1608 Walnut St.
Philadelphia, Pa. 19103

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-33A of the
Zoning Ordinance on the following proposition:

Appeal No. 6

Request of REALM RESTAURANTEURS, INC.

for a VARIANCE ~~SPECIAL PERMIT~~ of
the regulations of the Zoning Ordinance to
permit Subdivision of lands to separate diner
and office building, thereby creating undersized lot,

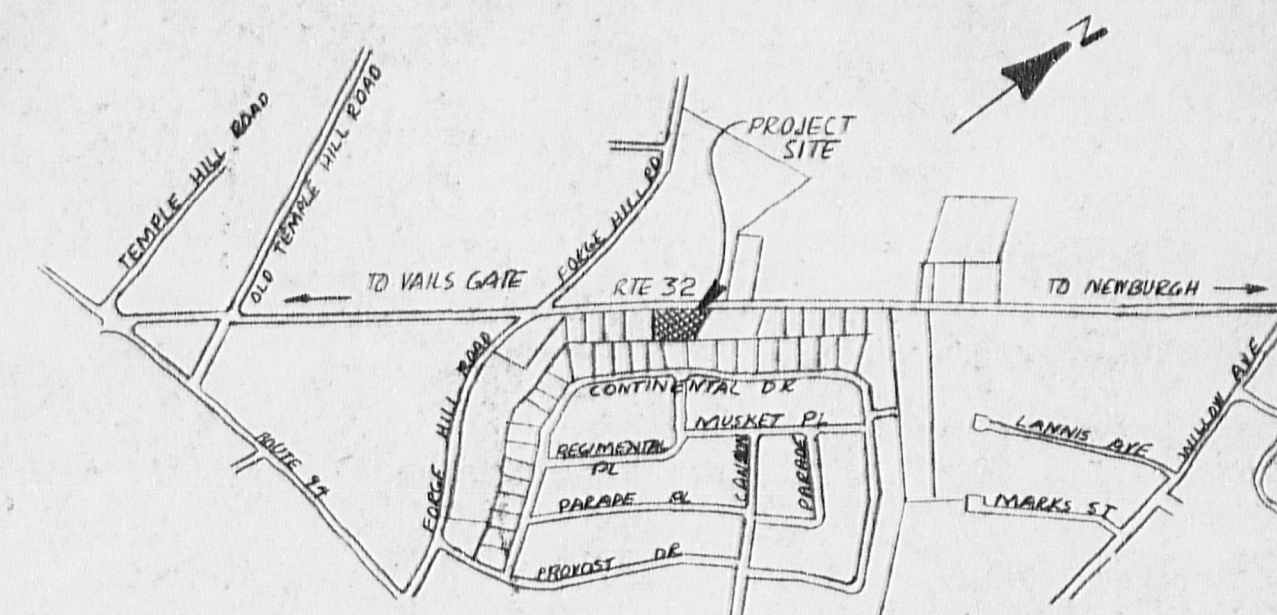
being a VARIANCE ~~SPECIAL PERMIT~~ of

Sections 48-12, Part II, Table of Bulk Regs. Cols. 4, 5 & 7
and Sec. 48-9-Table of Use Regs - Col. E
for property situated as follows:

East side of Route 32, North of Forge Hill Road
and across from Vails Gate School (Vails Gate Diner)
Tax Map Sec. 49-Block 1, Lot 1- Town of New Windsor,
New York.

SAID HEARING will take place on the 13th day of
April, 1981, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
8 o'clock P. M.

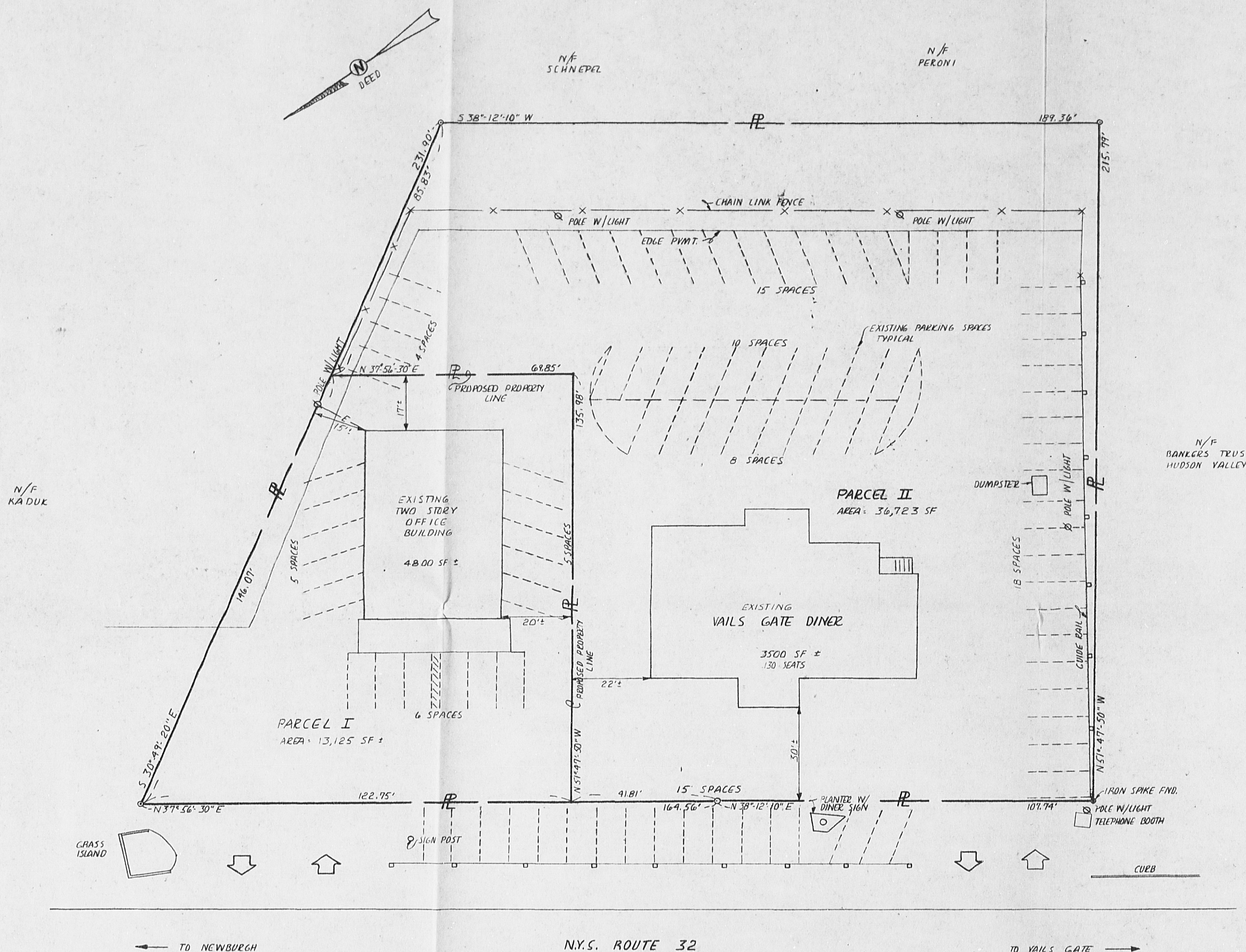
RICHARD FENWICK
Chairman



LOCATION PLAN
SCALE: 1" = 1000'

NOTES:

1. BEING SECTION 49, BLOCK 1, LOT 1, AS SHOWN ON THE TOWN OF NEW WINDSOR TAX MAPS.
2. AREA OF TRACT: 1.14 ACRES
3. ZONE: 'C' DESIGN SHOPPING
4. RECORD OWNER: REALM RESTAURANTEURS INC.
5. APPLICANT: REALM RESTAURANTEURS INC.
6. SEWER DISTRICT: NEW WINDSOR SEWER DISTRICT # 11A
7. PROPERTY BOUNDARY DATA FROM DEEDS OF RECORD AND SITE PLAN OF LANDS OF ROBERT REIS DATED 22 APRIL 1970 AND REVISED 30 JULY 1970 PREPARED BY GUSTANCE & HOROWITZ ENGINEERS.



PLAN
SCALE: 1" = 20'

PARCEL I BULK SUMMARY

USE	LOT AREA	LOT WIDTH	FRONT YARD	SIDE YARD	SIDE YARDS TOTAL	REAR YARD	BLDG. HEIGHT	FLOOR AREA RATIO	PARKING SPACES
REQUIRED	10000 SF	100 FT	40 FT	15 FT	35 FT	15'	2 STORY	1.0	24
PROVIDED	13,125 SF	100 FT	47 FT	15 FT	35 FT	17 FT	2 STORY	0.4	21 ON PARCEL I
VARIANCE REQUIRED									YES

▲ PARKING REQUIREMENTS MAY BE MET ON PARCEL II

PARCEL II BULK SUMMARY

USE	LOT AREA	LOT WIDTH	FRONT YARD	SIDE YARD	SIDE YARDS TOTAL	REAR YARD	BLDG. HEIGHT	FLOOR AREA RATIO	PARKING SPACES
REQUIRED	40000 SF	200 FT	60 FT	30	70	30	11'	0.5	44 (130 SEATS)
PROVIDED	36,723 SF	149 FT	30 FT	22 FT	72 FT	122 FT	13'	0.1	164
VARIANCE REQUIRED	YES	YES	*	YES			*		

* PRE-EXISTING CONDITION

McGOEY, HAUSER & GREVAS
CONSULTING ENGINEERS
45 Quassaick Ave. (Rte. 9-W) New Windsor, New York
9 High Street Port Jervis, New York

Revision	Date	Description

PLAN FOR
REALM RESTAURANTEURS CORP.
TOWN OF NEW WINDSOR • ORANGE COUNTY • NEW YORK

Drawn: <i>WHT</i>	MINOR SUBDIVISION	Sheet: 1 of 1
Checked: <i>WHT</i>		
Scale: AS SHOWN		
Date: 10 MAR 81		
Job No: D-45-81		

